

**County of Santa Clara  
Department of Environmental Health  
Hazardous Materials Compliance Division  
Solid Waste Programs**



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**CHAPTER XI. GREASE WASTE DISPOSAL**

**Sec. B11-240. Declaration of findings and purpose.**

The board of supervisors expressly finds and declares that it is in the interest of the public health to provide for the safe and sanitary disposal of grease waste and to establish requirements and procedures related to the handling of grease waste.

The purpose of this chapter is to establish standards for permitting and to set requirements for persons or entities pumping, or transporting grease wastes from grease traps and grease interceptors and other similar repositories of grease wastes, to ensure that environmental and public health hazards, nuisances, and pollution do not occur as a result of improper handling, transportation or disposal.

**Sec. B11-241. Definitions.**

In addition to the definitions in chapter I, the following terms are defined for purposes of this chapter:

- (a) Applicant means any individual or group of individuals acting on their own behalf or authorized to represent any individual, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate or other group or combination acting as a unit in conjunction with any grease waste handling business or operation.
- (b) Grease waste generator means any person, firm or entity that produces grease waste as defined.
- (c) Grease waste means the waste product that is of animal or vegetable origin captured through the use of grease traps or grease waste interceptor devices.
- (d) Grease waste handling means the collection, transporting, storage, transfer, processing or otherwise handling of grease waste. The term does not apply to the generation or storage of grease waste in a grease trap or interceptor or by a Publicly Owned Treatment Works (POTW).
- (e) Grease waste handling facility means any fixed location pretreatment, treatment or transfer facility operated for the purpose of collection, storage, transfer, processing or otherwise handling grease waste.

**Sec. B11-242. Application for permit; contents.**

All applications for permit under this chapter must be filed with the director and will be part of the permit. In addition to the requirements of Sec. B11-21, the application must include information as the director may require

**Sec. B11-243. Generator requirements; general.**

- (a) No generator will cause or permit grease waste to be removed from the generator's interceptor except by a person holding a valid permit issued pursuant to this chapter.
- (b) Generators must comply with all applicable county and city ordinances and regulations relating to grease interception, handling, maintenance and documentation.

**Sec. B11-244. Disposal requirement.**

All grease waste must be handled and disposed of in a legal manner and at a location approved by the director.

**Sec. B11-245. Bond requirement.**

The director may require the applicant to file a surety bond in an amount to be determined by the director to guarantee the faithful compliance with this chapter and with all rules and regulations of the director.

**Sec. B11-246. Filing reports.**

Persons or firms who are issued a permit to handle grease waste may be required to file periodic reports with the director or with other governmental jurisdictions. The reports may include, but need not be limited to:

- (a) The name and address of the premises where grease wastes are removed from a grease trap or interceptor device by pumper vehicle permit holder, employee or agent;
- (b) The volume of material removed;
- (c) The disposal location, including a copy of the bill of lading if disposed at a Publicly Owned Treatment Works (POTW); and
- (d) For a grease waste handling facility, the name and address of all grease waste handlers using the facility.

**Sec. B11-247. Records; inspection.**

Records as required by this chapter and by the director must be maintained for a minimum period of three years. For purposes of enforcement of the provisions of this chapter, the director may, upon presentation of appropriate credentials and at a reasonable time, do any of the following:

- (a) Enter and inspect any facility, establishment, vehicle or premises;
- (b) Review any records regarding the requirements of this chapter;
- (c) Secure any evidence including samples, photographs, records and documentation;
- (d) Impound any facilities, articles or materials found or suspected of being in violation of this chapter.

**Sec. B11-248. Reserved.**

**Sec. B11-249. Transfer generally; lease.**

Permits issued pursuant to this chapter are nontransferable to any person or entity. A permittee will not lease, sublet or subcontract the activities regulated under the permit to any person. If a pumping vehicle must be replaced during the permit year, and is taken entirely out of service and a new vehicle is to be used as a replacement vehicle, then the director may transfer the permit to the new vehicle for a fee as established by resolution of the board of supervisors

**Sec. B11-250. Report of change of address.**

A change of ownership, business name, or home or business address for any person issued a permit under this chapter must be reported in writing by certified mail by the permittee within ten days of the changes.

**Sec. B11-251. Identification of vehicle or equipment.**

The director may issue, in conjunction with any permit required by this chapter, further identification in the form of a license plate, decal or gummed sticker. The director will advise the permittee in writing as to where this identification is to be affixed or affix the identification upon issuance. Vehicle business identification must be as prescribed by regulations issued by the director.

**Sec. B11-252. Civil penalties.**

In addition to enforcement provisions in chapter I of this division, the following civil penalties may apply.

Any person or persons conducting any activity in violation of the provisions of this chapter or regulations adopted pursuant to this chapter may be liable for a civil penalty not to exceed two thousand five hundred dollars per day for each violation, which may be assessed and recovered in a civil action brought

in the name of the people by the county counsel or the district attorney. In determining the penalty, the court may consider all relevant circumstances, including but not limited to the following:

- (a) The extent of harm or potential harm caused by the violation;
- (b) The nature and persistence of the violation;
- (c) The length of time over which the violation occurred;
- (d) The frequency of past violations;
- (e) The permittee's record of performance;
- (f) Corrective action, if any, taken by the permittee.

In any civil action brought pursuant hereto, in which the county prevails, the court may determine and impose reasonable expenses, including attorneys' fees, incurred by the county in the investigation and prosecution of the action.

**Sec. B11-253. Construction plans; review and operating fees.**

No person may begin construction, reconstruction or alteration of any grease waste handling facility without first submitting plans and specifications to the director for review and written approval. In addition, the director may require any other information as necessary to determine if the facilities comply with all applicable laws and regulations of the state, local ordinances and requirements. Plans, specifications and other information must be submitted, reviewed and approved by the director before any permits are issued.

With the submission of plans, specifications and supporting data, a plan check fee must be paid to the department with respect to grease waste handling facilities as established by resolution of the board of supervisors. The operation of a grease waste handling facility, excluding POTWs, requires a permit issued by the director and payment of fees.